



**Response under 37 C.F.R. 1.116
- Expedited Examining Procedure -
Examining Group 2612**

**MAIL STOP AF
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Customer No. 01333

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Joseph R. Summa

OPTIMIZATION OF CCD
MICROLENS SIZE FOR COLOR
BALANCING

Serial No. 09/821,151

Filed 29 March 2001

Commissioner for Patents
P.O. Box 1450
Alexandria, VA. 22313-1450

Group Art Unit: 2612

Examiner: Nguyen, Luong Trung

I hereby certify that this correspondence is being
deposited today with the United States Postal
Service as first class mail in an envelope addressed
to Commissioner For Patents, P.O. Box 1450,
Alexandria, VA 22313-1450.

Lois A. Massar
Lois A. Massar

Date

Aug. 15, 2005

Sir:

DECLARATION UNDER 37 CFR 1.132

Peyton C. Watkins declares that:

1. an invention summary was prepared by Joseph R. Summa on March 17, 2000 (see attached Appendix A);
2. that the invention summary was sent to the Patent Legal Staff and that Joseph R. Summa was notified on April 25, 2000 by the Patent Legal Staff that a Kodak docket number had been assigned and that the responsible attorney would be James D. Leimbach (see attached Appendix B);
3. that James D. Leimbach left the Eastman Kodak Company on June 16, 2000;
4. the docket for the invention summary submitted by Joseph Summa was transferred to Tom Close, and that Tom Close also received responsibility for all the dockets for which James D. Leimbach was responsible in addition to his dockets that he was already responsible;
5. that Tom Close filed 59 US Patent applications in 2000 in processing the cases for which he was responsible (see attached Appendix C);
6. I came back to the Patent Legal Staff, after an assignment, in October 2000 and that the docket for the invention summary prepared by Joseph R. Summa was assigned to me in addition to all other dockets for which original responsibility was James D. Leimbach and which were not completed by Tom Close;

7. that I personally met with Joseph R. Summa in preparing the patent application for the subject invention;

8. that the actual dates on which the meetings occurred have been deleted from my calendar due to Eastman Kodak Company's policy of automatically deleting electronic calendar entries after 45 days;

9. that I filed 33 US Patent applications in 2001 including the subject invention and that I had one US Patent application prepared by outside counsel in 2001 in order to process the backlog of cases for which I was responsible (see attached Appendix D).

I further declare that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Peyton C. Watkins", written in a cursive style.

Peyton C. Watkins